

CLERK'S OFFICE
U.S. DISTRICT COURT
AT ROANOKE, VIRGINIA
FILED

November 14, 2024

Laura A. Austin, Clerk
By: *s/ Kelly Anglin*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA)	
)	Criminal Action No. 5:21-cr-00023
v.)	
)	By: Elizabeth K. Dillon
RICHARD E. MOORE)	Chief United States District Judge

TRIAL ORDER

The trial of this case is scheduled for 10 days, beginning December 2, 2024. Jury selection will begin on the first day of trial.

To administer the trial in a manner that is fair, just, and efficient, it is ORDERED as follows:

1. The jury will consist of twelve (12) persons, plus two (2) alternates. Attorneys will be permitted to conduct voir dire after preliminary questions from the court. The court's voir dire will solicit any requests from jurors to be excused from jury duty on the grounds of hardship. Attorneys' voir dire is expected to be limited to relevant questions and may not consist of disguised argument on the merits of the case.

2. The venire will be summonsed to appear at 9:00 a.m. Following questioning, counsel will be given an opportunity to make challenges for cause and peremptory challenges pursuant to Federal Rule of Criminal Procedure 24. Under that rule, the United States will have six (6) peremptory challenges and the Defendant will have ten (10) peremptory challenges. Each side is permitted one additional preemptory challenge to be used only to remove alternate jurors. Once fourteen (14) unchallenged jurors are identified, jury selection will cease. The last two unchallenged jurors, in order of selection, will be the alternates.

3. The Box.com file-sharing platform will be used in the trial of this case. Box.com provides access to evidence by the jury during deliberations, reducing the need for jurors to handle physical evidence. Jurors can view or listen to the evidence multiple times, including documents, images, and video and audio files. Box.com is NOT designed to present evidence in the courtroom; thus, the use of an evidence display device is generally required to display exhibits to witnesses. Of course, no evidence is to be displayed to the jury until it has been admitted. Box.com requires that counsel either upload electronic exhibit files to Box.com or submit electronic exhibit files in advance of trial on a USB drive, DVD, or CD for uploading to Box.com. The attached instructions provide information for the preparation by counsel of the electronic exhibit files. Exhibits shall be uploaded to Box.com or provided to the Courtroom Deputy by 5:00 p.m. three business days before the first day of trial. Further questions about Box.com should be directed to the Clerk's Office (Kelly Anglim, (540) 857-5117, Kelly_Anglim@vawd.uscourts.gov).

4. Counsel are responsible for having sufficiently available witnesses to avoid early adjournments or lengthy recesses. The government should keep defense counsel advised of the progress of its case so that the defense may be ready to proceed promptly following the conclusion of the government's case-in-chief.

5. If counsel will be requesting daily transcripts during the trial, they are advised to bring this to the attention of the clerk's office immediately.

6. In order to protect the parties, attorneys, court staff, and potential and seated jurors, the court further **ORDERS** all parties, attorneys, witnesses, jurors, and court staff who test positive for COVID-19 or the flu, or who experience a fever or chills, persistent cough, shortness of breath or difficulty breathing, new loss of taste or smell, or other flu-like

symptoms; or resided with, or been in close contact with, any person in the above-mentioned categories shortly before or during the course of the trial must promptly notify the court.

It is **so ORDERED**.

Entered: November 14, 2024.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
Chief United States District Judge